



**The City of New York
LAW DEPARTMENT**

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March 7, 2016

VIA ECF

Honorable J. Paul Oetken
United States District Judge
United States District Court
Southern District of New York
40 Foley square
New York, New York 10007

Re: Williams v. City of New York et al., 16 CV 233 (JPO)

Your Honor:

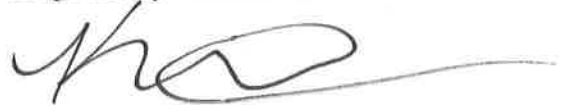
I am an Assistant Corporation Counsel in the Office of Zachary W. Carter, Corporation Counsel of the City of New York, representing defendant City of New York in the above-referenced matter. Because this case is part of the Southern District of New York's Plan for Certain Section 1983 Cases against the City of New York ("Section 1983 Plan"), defendant City respectfully requests that the Court extend defendant City's time to answer the Complaint, *nunc pro tunc*, until 60 days from the date plaintiff provides this Office with a signed release pursuant to Criminal Procedure Law § 160.50 ("160.50 Release"). Defendant City further requests that the Court *sua sponte* grant the same enlargement of time on behalf of defendant Police Officer Ricardo Bocachica, for whom this office has not yet made a representation decision. This is defendant City's first request for an extension of time to answer. Attorney for plaintiff, Ryan Lozar, Esq., consents to this request.

The complaint in the instant action was filed on January 12, 2016, plaintiff is represented by counsel, and the Complaint brings claims against the City and members of the police department alleging, *inter alia*, false arrest under 42 U.S.C. § 1983. Accordingly, this case falls within the parameters of the Section 1983 Plan, which was recently memorialized as Local Civil Rule 83.10. The City was served with a copy of the summons and complaint in this action on January 20, 2016, and Defendant Officer Bocachica was served on January 19, 2016.

Under the terms of the Section 1983 Plan, counsel for plaintiff is to provide a signed 160.50 release granting access to sealed arrest records for the arrest that is the subject of the Complaint along with a copy of the Complaint. In the event that plaintiff does not do so, Local Rule 83.10(3) provides that “each defendant will have the greater of (i) 60 days from the date the § 160.50 Release is served on the City, or (ii) 60 days after that defendant is served, to answer the complaint.” Plaintiff has not yet provided this office with a 160.50 release, although he states that he will do so within the next several days. As such, defendants respectfully request that the Court grant defendants an enlargement of time of 60 days from the date plaintiff provides the 160.50 release to answer or otherwise respond to the Complaint.

Defendant City thanks the Court for its consideration of the herein request.

Respectfully submitted,



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cc: **VIA ECF**
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